

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

TIMOTHY BLON HOPKINS,	)	
	)	
Petitioner,	)	
	)	CIVIL ACTION NO.
VS.	)	
	)	3:04-CV-2599-G
DOUGLAS DRETKE, Director, Texas	)	
Department of Criminal Justice,	)	
Correctional Institutions Division,	)	
	)	
Respondent.	)	

OPINION AND ORDER

After reviewing the objections to the findings, conclusions, and recommendation ("Findings") of the United States Magistrate Judge and conducting a *de novo* review of those parts of the Findings to which objections have been made, I am of the opinion that the Findings of the magistrate judge are correct and they are accepted as the Findings of the court, except that the quotation on page 2, lines 14-17, should read:


resulted in a decision that was contrary to, or involved an unreasonable application of, clearly established Federal law, as determined by the Supreme Court of the United States; or resulted in a decision that was based on an unreasonable

determination of the facts in light of the evidence presented in the State court proceeding.

Additionally, the following citations should be corrected: (1) on page 3, lines 23-24, the citation should read "see also *Allison v. Kyle*, 66 F.3d 71, 74 (5th Cir. 1995);" (2) on page 3, lines 24-25, the citation should read "*Orellana v. Kyle*, 65 F.3d 29, 31-32 (5th Cir. 1995), *cert. denied*, 516 U.S. 1059, 116 S.Ct. 736 (1996);" (3) on page 3, line 25, the citation should read "*Gilbertson v. Texas Board of Parole and Pardons*, 993 F.2d 74, 75 (5th Cir. 1993);" and (4) on page 4, line 1, the citation should read "*Creel v. Keene*, 928 F.2d 707, 711-12 (5th Cir. 1991)."

It is therefore **ORDERED** that the Findings, as modified herein, are **ADOPTED** as the findings and conclusions of the court.

April 21, 2005.

  
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A. JOE FISH  
CHIEF JUDGE